

Amanda Reiber

From: JR Casillas
Sent: Monday, November 08, 2021 9:58 AM
To: Amanda Reiber; Peter Lacny
Subject: FW: [EXTERNAL] Goettsche Settlement Agreement--a new issue

J.R. Casillas, Shareholder



Datsopoulos, MacDonald & Lind, P.C.

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From: Benjamin J. A. Sauter <Benjamin.Sauter@kobrekim.com>
Sent: Friday, September 24, 2021 9:19 AM
To: Peter Lacny <PLacny@dmllaw.com>; Josh Kalish <josh@ogslawllc.com>
Cc: JR Casillas <JRCasillas@dmllaw.com>
Subject: RE: [EXTERNAL] Goettsche Settlement Agreement--a new issue

Peter,

I've spoken with my client and he objects to disclosure of the settlement agreement, including on the grounds that it contains sensitive business and financial information. In addition, we have some questions and concerns about how the litigation and arbitration have progressed to date, such as how the various entities ended up where they're at; why the allegations made by Mr. Birenbaum, which pre-date Mr. Goettsche's involvement with CryptoWatt, were never disclosed to him by Mr. Burrell or Mr. Washington; why the existence of this dispute was not disclosed to Mr. Goettsche until now; and how your client, Atlas Power, would have the ability to produce the settlement agreement since Atlas is not a signatory to it and presumably does not have a copy of it. I remain available to discuss these issues.

Best regards,

Benjamin J. A. Sauter
+1 212 488 1288

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Exhibit J

Americas (New York, Buenos Aires, Chicago, Delaware, Miami, San Francisco, São Paulo, Washington DC)

Asia-Pacific (Hong Kong, Seoul, Shanghai), **EMEA** (London, Tel Aviv), **Offshore** (BVI, Cayman Islands)

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From: Peter Lacny <PLacny@dmlaw.com>

Sent: Thursday, September 16, 2021 7:50 PM

To: Josh Kalish <josh@ogslawllc.com>; Benjamin J. A. Sauter <Benjamin.Sauter@kobrekim.com>

Cc: JR Casillas <JRCasillas@dmlaw.com>

Subject: [EXTERNAL] Goettsche Settlement Agreement--a new issue

Gentlemen;

I write again on a separate but related issue.

In this case, we represent Atlas Power. We are being sued by Evan Birenbaum and the matter is in arbitration.

We were recently served with the attached discovery requests.

The Settlement Agreement between Mr. Goettsche and Mr. Washington and related entities is responsive to this request. Due to the confidentiality clause of the Agreement, I am writing to get your position on disclosing the agreement in response to this discovery request.

We have already confirmed with Mr. Birenbaum's counsel that he would agree to a protective order that the Settlement Agreement cannot be otherwise disclosed.

My partner JR Casillas is CC'd on this email.

Thank you both for your time,

Peter F. Lacny, Shareholder

DM&L

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